

EXECUTIVE ORDER NO. 61
PUBLIC SCHOOL FUNDING

WHEREAS, the Constitution of North Carolina, Article I, Section 15, and Article IX, Section 2, combine to guarantee every child of this State an opportunity to receive a sound basic education in our public schools; and,

WHEREAS, in the lawsuit of Leandro v. State of North Carolina, 346 N.C. 336 (1997), the North Carolina Supreme Court defined a “sound basic education” by four enumerated requirements. (Id. p. 347); and,

WHEREAS, based on Leandro, a lawsuit was filed by several school districts, Hoke County Board of Education, et al. and Asheville City Board of Educators, et al., vs. State of North Carolina; State Board of Education, alleging that the State of North Carolina had failed to provide adequate funds for the education of children in low-wealth and other school districts; and

WHEREAS, The Honorable Howard E. Manning, Jr., Superior Court Judge of Wake County, entered a judgment on April 4, 2002, ordering the State to remedy the deficiencies for those children, regardless of the county they reside in, who are not being provided the basic educational services. The court further observed that this responsibility cannot be passed down by the State of North Carolina to the local boards of education; and,

WHEREAS, the State Board of Education and the State Superintendent of Public Instruction have developed a plan to comply with the court order and requested supplemental funds to support disadvantaged students in certain low-wealth counties; and,